

RCE JFW

PTO/SB/30 (08-03)

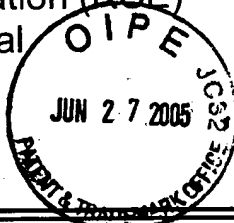
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# Request For Continued Examination (RCE) Transmittal

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



Application Number	09/710,172
Filing Date	November 10, 2001
First Named Inventor	Federico Garcea
Art Unit	2154
Examiner Name	Haresh N. Patel
Attorney Docket Number	MS154756.01/MSFTP125US

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted May 23, 2005. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 50-1063

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other Any other fees that may be due

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David W. Grillo	Registration No. (Attorney/Agent)	52,970
Signature		Date	June 23, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or sent via facsimile to 703-872-9306 at the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	David W. Grillo	Date	June 23, 2005
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed on the date shown below through the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 6-23-05  
Christina M. Padamonsky**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant(s): Federico Garcea, *et al.*

Examiner: Haresh N. Patel

Serial No: 09/710,172

Art Unit: 2154

Filing Date: November 10, 2000

Title: SYSTEM FOR GATHERING AND AGGREGATING OPERATIONAL METRICS

**Mail Stop RCE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

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**SUBMISSION PURSUANT TO 37 CFR §1.114**

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Dear Sir:

This submission is being concurrently filed with a Request for Continued Examination (RCE), pursuant to 37 CFR §1.114, for the above-identified patent application. Favorable consideration of the subject patent application is respectfully requested in view of the amendments herein. A credit card payment form is filed concurrently herewith in connection with all fees due regarding this document and the RCE. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP125US].